

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

TWENTY-SIXTH DAY, MONDAY, FEBRUARY 21, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, Your instruction is perfect, reviving the soul.
Your testimony is trustworthy, making the inexperienced wise.
Your precepts are right, making the heart glad.
Your directions are plain and easy on the eyes.
Your reputation is pure, enduring forever.
Your decrees are reliable and altogether righteous.

Remind us throughout this week that these principles are more desirable than gold and in keeping them there is great reward.

Deliver us from presumptuous thinking and may it not rule over us.

Now may the grace of our Lord rest and abide with each of us....

In the eternal name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-fifth day was approved as printed by the following vote:

AYES: 153

Aull	Baker 123	Baker 25	Barnitz	Bearden
Behnen	Bivins	Black	Bland	Boykins
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Chappelle-Nadal	Casey	Chinn
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 110	Harris 23	Haywood	Henke	Hobbs
Hoskins	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany

Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright-Jones	Wright 137	Wright 159	Yaeger
Yates	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Bean	Bowman	Dougherty	Hubbard
Kelly	Lowe 44	Wagner	Young	

VACANCIES: 001

HOUSE CONCURRENT RESOLUTIONS

Representative Bearden, et al., offered House Concurrent Resolution No. 21.
Representative Bivins offered House Concurrent Resolution No. 22.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 679 - Representative Bland
House Resolution No. 680
and
House Resolution No. 681 - Representative Brown (30)
House Resolution No. 682
through
House Resolution No. 684 - Representative Lager
House Resolution No. 685 - Representative Sander
House Resolution No. 686 - Representative Lampe
House Resolution No. 687
through
House Resolution No. 695 - Representative Pearce
House Resolution No. 696
through
House Resolution No. 703 - Representative Lager
House Resolution No. 704 - Representative Sutherland
House Resolution No. 705 - Representative Lager

House Resolution No. 706
through
House Resolution No. 708 - Representative Brown (30)
House Resolution No. 709 - Representative Deeken
House Resolution No. 710 - Representative Cooper (158)
House Resolution No. 711
through
House Resolution No. 713 - Representative Schoemehl
House Resolution No. 714 - Representative Jones
House Resolution No. 715 - Representative Pollock
House Resolution No. 716 - Representative Kingery

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 15 through **HJR 17** were read the second time.

SECOND READING OF HOUSE BILLS

HB 581 through **HB 593** were read the second time.

COMMITTEE REPORTS

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 15**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 468**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 15 - Conservation and Natural Resources
HJR 16 - Conservation and Natural Resources
HJR 17 - Conservation and Natural Resources

COMMITTEE REPORTS

Committee on Local Government, Chairman Johnson (47) reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 114**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 347**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 18, introduced by Representatives Kraus, Brown (30), Dusenberg, Yates, Goodman, Behnen, Munzlinger, Moore, Jackson, Fisher and Flook, relating to taxation of veterans' organizations.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 594, introduced by Representatives Ruestman, Cunningham (145), Hunter, Sutherland, Nieves, Shoemyer, Byrd, Pollock, Cooper (120), Kuessner, Salva, Meadows, Wood and Dethrow, relating to torts and actions for damages.

HB 595, introduced by Representative Deeken, relating to persons excused from jury service.

HB 596, introduced by Representative Schaaf, relating to health insurance benefits for employees.

HB 597, introduced by Representatives Whorton, Myers, Witte, Schad, Shoemyer, Munzlinger and Henke, relating to biodiesel fuel.

HB 598, introduced by Representative Sutherland, relating to nursing home administrators.

HB 599, introduced by Representative Cooper (155) and Weter, relating to professional counselors.

HB 600, introduced by Representatives Cooper (155), Robb, Sater, Weter and Schaaf, relating to licensing requirements for professional counselors.

HB 601, introduced by Representatives Johnson (61), Smith (118), Byrd, Smith (14), Schoemehl, Baker (25), Yaeger, Whorton and Fraser, relating to suicide prevention.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 270**, entitled:

An act to repeal sections 30.247, 30.250, 30.260, 30.270, 30.440, 30.750, 30.753, 30.756, 30.758, 30.760, 30.765, 30.767, 30.830, and 30.840, RSMo, and to enact in lieu thereof sixteen new sections relating to the state treasurer, with penalty provisions and an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

The following members' presence was noted: Bowman, Kelly, Lowe (44), Wagner and Young.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Tuesday, February 22, 2005.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, February 22, 2005, 12:00 p.m. Hearing Room 1.

Executive session may follow.

There will be a 20 minute presentation by Farm Credit Systems Info. AMENDED

Public hearings to be held on: HB 376, HB 305, HB 454, HB 368

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 22, 2005, 8:00 a.m. Hearing Room 4.

Markup. Executive session may follow. AMENDED

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 22, 2005, 2:45 p.m. Hearing Room 4.

Markup. Executive session may follow. AMENDED

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 23, 2005, 8:00 a.m. Hearing Room 4.

Markup. Executive session may follow. AMENDED

APPROPRIATIONS - EDUCATION

Tuesday, February 22, 2005, 8:00 a.m. Hearing Room 1.

Markup. Executive session.

APPROPRIATIONS - EDUCATION

Tuesday, February 22, 2005, 2:45 p.m. Hearing Room 1.

Markup. Executive session.

APPROPRIATIONS - EDUCATION

Wednesday, February 23, 2005, 2:45 p.m. Hearing Room 1.

Markup. Executive session. AMENDED

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 22, 2005, 8:00 a.m. Hearing Room 7.

Budget to be reviewed: General Assembly

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 22, 2005, 2:45 p.m. Hearing Room 7.

Markup - Office of Administration - Public Debt/Board of Fund Commissioners
- Statewide elected officials (Governor, Lt. Governor, Secretary of State, Auditor, Attorney General, Treasurer). AMENDED

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 23, 2005, 2:45 p.m. Hearing Room 7.

Executive session.

Markup - Office of Governor, Lt. Governor, Secretary of State, Treasurer, Attorney General, Auditor, Department of Revenue, Office of Administration - Public Debt, Employee benefits, General Assembly, Public Defender, Judiciary.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, February 22, 2005, 8:00 a.m. Hearing Room 3.

Access to Mental Health services. Medicaid and Department of Health and Senior Services pharmacy programs. Recess at 10:00 a.m., reconvene at 2:00 p.m. Hearing room 3.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 22, 2005, 8:00 a.m. Hearing Room 6.

Markup for Department of Public Safety and/or Department of Corrections.
Will reconvene at 2:45 p.m.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 23, 2005, 2:45 p.m. Hearing Room 6.

Markup will take place for both departments.

Executive session may follow. Committee will reconvene at 6:00 p.m.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 22, 2005, 8:00 a.m. Hearing Room 5.

Markup for Departments of Transportation, Economic Development, Insurance, Labor and Industrial Relations.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 22, 2005, 2:45 p.m. Hearing Room 5.

Markup for Departments of Transportation, Economic Development, Insurance, Labor and Industrial Relations.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 23, 2005, 2:45 p.m. Hearing Room 5.

Markup for Departments of Transportation, Economic Development, Insurance, Labor and Industrial Relations.

CHILDREN AND FAMILIES

Wednesday, February 23, 2005, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 205

Executive session may be held on: HB 100

CONSERVATION AND NATURAL RESOURCES

Wednesday, February 23, 2005, 6:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HJR 8, HB 192, HB 130

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, February 22, 2005, 6:00 p.m. Hearing Room 1.

Executive session may follow. AMENDED

Public hearings to be held on: HB 27, HB 126, HB 177, HB 430, HB 389

ELECTIONS

Tuesday, February 22, 2005, 6:00 p.m. Hearing Room 5.

Public hearings to be held on: HB 255, HB 524

Executive session will be held on: HB 66, HB 107

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 23, 2005, 8:00 a.m. Hearing Room 3.

Executive session may follow. Public hearing on HB 258 if time allows.

Public hearing to be held on: HB 145

FINANCIAL INSTITUTIONS

Tuesday, February 22, 2005, Side Gallery upon morning adjournment.

Executive session will be held on: HB 379

HEALTH CARE POLICY

Wednesday, February 23, 2005, 8:00 a.m. Hearing Room 6.

Public hearings to be held on: HB 401, HB 108, HB 131

Executive session will be held on: HB 131

HIGHER EDUCATION

Tuesday, February 22, 2005, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: SS SCS SB 98

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, February 23, 2005, 12:00 p.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 326, HB 32, HB 348

JOINT COMMITTEE ON CAPITAL IMPROVEMENTS AND LEASES OVERSIGHT

Tuesday, February 22, 2005, 3:30 p.m. Senate Committee Room 1.

Organizational meeting. Executive session may or may not follow.

JOINT COMMITTEE ON EDUCATION

Tuesday, February 22, 2005, 8:00 p.m. Senate Committee Room 2.

New foundation formula discussion and simulations.

Overflow will be available in Senate Committee Room 1.

JUDICIARY

Tuesday, February 22, 2005, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 50, HB 137, HB 178

LOCAL GOVERNMENT

Thursday, February 24, 2005, 8:00 a.m. Hearing Room 6.

Executive session will follow. AMENDED

Public hearings to be held on: HB 200, HB 342, HB 343, HB 344, HB 345, HB 448

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 23, 2005, 12:00 p.m. Hearing Room 1.

Public hearings to be held on: HB 182, HB 402

Executive session will be held on: HB 56, HB 174

RETIREMENT

Wednesday, February 23, 2005, 6:00 p.m. Hearing Room 7.

Executive session will follow. AMENDED

Public hearings to be held on: HB 195, HB 323, HB 411, HB 443

RULES

Tuesday, February 22, 2005, 6:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HCS HB 347

TOURISM

Tuesday, February 22, 2005, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 203, HB 370, HB 386, HB 451

TOURISM

Thursday, February 24, 2005, 9:00 a.m. House Lounge.

Presentation of the annual report by the Tourism Commission.

TRANSPORTATION

Wednesday, February 23, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 423, HB 490, HB 377, HB 307

VETERANS

Wednesday, February 23, 2005, 8:00 a.m. Hearing Room 5.

Executive session will follow. Reconsideration of HCS for HB 94 and HB 185.

Public hearing to be held on: HB 437

WAYS AND MEANS

Wednesday, February 23, 2005, Hearing Room 7 upon morning adjournment.

Possible Executive session.

Public hearings to be held on: HB 291, HB 461

HOUSE CALENDAR

TWENTY-SEVENTH DAY, TUESDAY, FEBRUARY 22, 2005

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 18

HOUSE BILLS FOR SECOND READING

HB 594 through HB 601

HOUSE BILL FOR PERFECTION

HCS HB 468 - Richard

HOUSE BILLS FOR PERFECTION - CONSENT

(2/22/05)

1 HB 248 - Pearce

2 HCS HB 297 - Pearce

SENATE BILL FOR SECOND READING

SCS SB 270

HOUSE CONCURRENT RESOLUTION

HCR 11, (2-17-05, Pages 351-352) - Sander

HOUSE RESOLUTIONS

- 1 HR 11, (2-17-05, Page 348) - Pratt
- 2 HR 12, (2-17-05, Page 349) - Pratt
- 3 HR 96, (2-17-05, Page 349) - Portwood
- 4 HR 163, (2-17-05, Pages 349-350) - Jones